



County of Los Angeles CHIEF EXECUTIVE OFFICE

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June 22, 2016

To: Supervisor Hilda L. Solis, Chair
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From: Sachi A. Hamai
Chief Executive Officer

REPORT BACK ON INCREASE IN JUVENILE EXPENDITURES IN THE PUBLIC DEFENDER'S OFFICE FROM FISCAL YEARS 2013-14 TO 2014-15 (ITEM NO.11, AGENDA OF APRIL 5, 2016)

On April 5, 2016, the Board directed the Chief Executive Officer (CEO) to report back with an explanation as to why the Public Defender's (Department) juvenile costs increased from \$15,800,000 to \$16,800,000 in fiscal year (FY) 2014-15.

Pursuant to California Government Code Section 27706, the County of Los Angeles is required to provide competent legal defense services for eligible indigent minors in juvenile delinquency proceedings in the Los Angeles Superior Courts. Although there has been a decrease in juvenile defense caseload over the past few years, the overall costs related to Juvenile defense have increased as a result of Cost-of-Living Adjustment (COLA) increases that became effective October 1, 2013, and an increase in resources needed to properly represent juvenile clients. Between FY 2013-14 and FY 2014-15, cost increases associated with juvenile defense are directly related to Board-approved COLA as well as an increase in the number of staff assigned to the Department's Juvenile Division.

The Public Defender's level of juvenile practice has continued to increase due to the ongoing involvement with juvenile clients post-disposition. Defense attorney's roles have expanded; and juvenile attorneys are required to serve their client not only during all phases of the delinquency process, but including representation of the juvenile once his/her case has concluded. Defense attorneys are now expected to provide post-disposition representation which ensures the youth receives services ordered by the court, such as educational, medical and psychological; representation at post-disposition meetings; assisting with the sealing or expunging of records; and appealing of cases.

"To Enrich Lives Through Effective And Caring Service"

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To help attorneys provide the expanded representation required for juveniles, additional departmental resources are required. Please refer to Attachment I (excerpt from the March 2016 Warren Institute on Law and Social Policy, UC Berkeley School of Law, Report to the Los Angeles County CEO and Auditor-Controller on Juvenile Indigent Defense) for a summary of Juvenile Division Resources utilized by the Department in response to their expanded role as of March 2016.

Juvenile client needs have also increased to the point where the Public Defender has retained a consultant to evaluate the efficacy of the services provided to those with the most intensive psycho-social and educational needs. The goal is to connect the juvenile clients with much needed services to improve their outcomes in areas such as emotional and behavioral health, family functioning, education and delinquency.

In addition, attorneys assigned to the Public Defender's Juvenile Division are thoroughly and continuously working on litigating cases where juveniles are facing life sentences, partly due to the passage of Senate Bill 9 which became effective January 2013. To that end, juvenile attorneys are trained to utilize services such as social workers, educational attorneys, and other experts. It is anticipated that resource assessments will continue to rise, consistent with a recognition, confirmed by statutory and case law, that juveniles should receive the necessary care, treatment, and guidance when becoming involved in the criminal justice system.

Costs related to the Public Defender's juvenile clients may continue to rise as a result of ongoing COLAs and the many resources needed to properly represent this population.

Should you or your staff have any questions, please contact Sheila Williams, Public Safety at (213) 974-1155 or swilliams@ceo.lacounty.gov.

SAH:JJ:SK
SW:VC:cg

Attachment

c: Executive Office, Board of Supervisors
County Counsel
Auditor-Controller
Public Defender

Part III: Public Defender and Panel Resources

Other than investigators, public defenders and panel attorneys have equal access to court-paid 730 experts/resources, including social workers.

Public Defender Resources

The Juvenile Division of the Office of the Public Defender has 49 deputy public defenders positions spread amongst the nine branch courthouses, a supervising attorney called a Deputy in Charge (DIC) in each branch, and two Head Deputies who oversee all juvenile public defenders in the County. To help its attorneys provide the expanded representation required for juveniles, the Office of the Public Defender has on-staff social workers, resources attorneys, investigators, appellate attorneys, an immigration attorney, and administrative support and paralegals (see Figure 9). These resources are available to all deputy public defenders and DICs. In addition to the trial attorneys and DICs working in the branch courthouses, the Office also has specially assigned staff including one attorney and one paralegal in the DJJ unit in Inglewood, an attorney and social worker in the juvenile mental health court in Eastlake, an attorney in the STAR court in Compton, and three attorneys and a social worker in the SB9 and SB260 units. The roles and responsibilities of the various types of staff members are summarized below.

Figure 9. Summary of Juvenile Division Resources, as of March 2015

- Attorneys: 49
- Social Workers: 13 in courts, 2 supervising
- Resource Attorneys: 7
- Deputies in Charge: 9 at the 9 courthouses plus 1 who is the Collaborative Justice DIC
- Head Deputies: 2
- Appellate Attorneys: 2
- Appellate Immigration Attorney: 1
- Investigators: Roster of public defender investigators, 9 investigators in charge
- Administrative Support: 16 administrative support, 4 paralegals, 1 supervising paralegal
- WIC 730 Evaluators
- WIC 317(e) Education Attorneys
- DJJ Unit: 1 attorney, 1 paralegal
- SB 9 and SB 260 Units: 3 attorneys, 1 social worker